

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DEON COATES,

Defendant.

CASE NO. 2:23-CR-00185-LK

ORDER CONTINUING TRIAL
AND PRETRIAL MOTIONS
DEADLINE

This matter comes before the Court on Defendant Deon Coates’s Unopposed Motion to Continue Trial and Pretrial Motions Deadline, Dkt. No. 18, as well as his speedy trial waiver, Dkt. No. 19. On November 29, 2023, a federal grand jury indicted Mr. Coates on two counts of Possession of a Controlled Substance with Intent to Distribute and one count of Unlawful Possession of a Firearm. Dkt. No. 11 at 3; *see* 21 U.S.C. § 841(a)(1), (b)(1)(A), (b)(1)(C); 18 U.S.C. § 922(g)(1). He pleaded not guilty to all counts. Dkt. No. 17. Trial is currently set for January 29, 2024, and pretrial motions were due no later than December 28, 2023. *Id.*

Mr. Coates now seeks to continue trial to June 17, 2024 and requests a new pretrial motions deadline of May 1, 2024. Dkt. No. 18 at 1. The Government has disclosed “significant discovery

1 related to the charges,” and defense counsel is “in the process of reviewing that discovery with Mr.
2 Coates and conducting necessary legal research and investigation in preparation for trial.” *Id.* at
3 1–2. According to counsel, “[t]his process cannot be completed by the current trial date.” *Id.* at 2.
4 Mr. Coates avers that he has consulted with counsel and knowingly and voluntarily waives his
5 speedy trial right, and consents to a continuance of his trial to a date up to and including July 1,
6 2024. Dkt. No. 19 at 1.

7 Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice served by
8 granting a continuance outweigh the best interest of the public and Mr. Coates in any speedier trial.
9 Specifically, the Court finds that failure to grant the requested continuance would likely result in
10 a miscarriage of justice and would deny defense counsel the reasonable time necessary for effective
11 preparation, taking into account the exercise of due diligence, due to counsel’s need for more time
12 to review the evidence, consult with her client, conduct legal research, consider possible defenses,
13 and gather evidence material to the defense. *See* 18 U.S.C. § 3161(h)(7)(B)(i), (iv). The Court also
14 finds that the additional time requested is a reasonable period of delay and will be necessary to
15 provide counsel and Mr. Coates reasonable time to accomplish these tasks, to investigate the
16 matter, and to prepare for trial.

17 For these reasons, the Court GRANTS the motion, Dkt. No. 18, and ORDERS that trial
18 shall be continued from January 29, 2024 to June 17, 2024. It is further ORDERED that, pursuant
19 to 18 U.S.C. § 3161(h)(7)(A) and (B), the period of delay from the date of this Order to the new
20 trial date is EXCLUDED when computing the time within which Mr. Coates’s trial must

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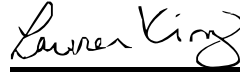
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1 commence under the Speedy Trial Act. Pretrial motions are due no later than May 1, 2024.¹

2 Dated this 11th day of January, 2024.

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4 Lauren King
5 United States District Judge

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22 ¹ Mr. Coates's request to reset the pretrial motions deadline is untimely because the existing deadline (December 28,
23 2023) expired nearly two weeks before he filed this motion. *See* Dkt. No. 17. Absent good cause, a party who fails to
24 meet the pretrial motions deadline waives pretrial objections. *See* Fed. R. Crim. P. 12(b)(3), (c)(1), (c)(3); *United*
States v. Ghanem, 993 F.3d 1113, 1120 (9th Cir. 2021). Mr. Coates provides no explanation—let alone good cause—
for his failure to file the instant motion on or before the December 28, 2023 deadline. *See generally* Dkt. No. 18.
Although the Court exercises its discretion to excuse this oversight, it cautions the parties that, going forth, it expects
strict compliance with the Federal Rules of Criminal Procedure and Local Criminal Rules.